

Message

From: Tanimura, Erin [Tanimura.Erin@epa.gov]
Sent: 7/6/2021 1:18:10 PM
To: Gray, David [gray.david@epa.gov]
Subject: ACTION: Region 6 Weekly Update July 6
Attachments: RA Update 07-01Draft v2-jm.docx; Unused 07-01.docx

Importance: High

David, I've made some edits to the draft weekly below. Randy let me know that there will be a new format for the Weekly beginning next week, but this week's is the same as usual.

**R6 Weekly Update
July 6, 2021**

Hot Topics

Denka Performance Elastomer, LaPlace, Louisiana

EPA is coordinating with the State Department and DOJ to respond to an additional request for information from the Inter-American Commission on Human Rights regarding the Concerned Citizens of St. John's request for precautionary measures. The requests asks for observations on information presented by the Applicants; information about the current state of health of the community members, in particular, levels of individuals with cardiac symptoms, cancer, or COVID-19 in St. John the Baptist Parish, as well as measures adopted by the State in response to the health-related risks caused by the Denka facility; and any additional information relevant. The response is due July 8.

Ethylene Oxide Facilities, Texas and Louisiana

Region 6, in coordination with HQ, is working to complete technical assessments with risk information updates associated with eight ethylene oxide-emitting facilities in Louisiana and Texas. Region 6 plans to conduct six virtual community meetings in the areas near the eight ethylene oxide-emitting facilities beginning in late July. Region 6 continues to coordinate outreach efforts with LDEQ and TCEQ. Region 6 held a virtual roundtable discussion with environmental justice stakeholders on July 1 to provide information and discuss community engagement.

Mossville, Louisiana

On June 30, Region 6 met with the Concerned Citizens of Mossville (CCOM) to hear about their concerns regarding a buyout and/or relocation program for the remaining Mossville residents. CCOM shared a number of ideas of how a buyout may be facilitated, including buyouts provided by the industry in the Westlake area; using federal grants differently; and pursuing placement on the NPL. Additionally, CCOM indicated that they are open to hearing about HUD possibilities, but would need EPA support through whatever process that would be involved. Region 6 noted that EPA's authorities are extremely limited in terms of buyouts and will continue to research possibilities.

Ex. 5 AC / Ex. 7(A)

NEOLAMP, Davis, Oklahoma

Region 6 has exhausted all potential options for finding a company to accept the abandoned radioactive (krypton-85) cylinders for reuse or disposal from the NEOLAMP site. The only option remaining is to vent the radioactive gas to the atmosphere. Region 6 received formal concurrence for venting from Oklahoma Department of Environmental Quality. The City of Davis has given verbal concurrence; however, written concurrence is still pending from the Mayor. The City also provided approval to conduct the venting at a remote abandoned airstrip north of Davis. Region 6 also contacted the Chickasaw Nation's Environmental Program on June 23, and the Tribe raised no objections to the venting option. Region 6's contractor performed risk modeling, which showed risk to the public from the venting is well within the acceptable risk range used by EPA. Additional modeling is being conducted as backup.

Coal Combustion Residuals Program, Texas

On June 28, the Federal Register notice was published for the approval of the permit program for the management of coal combustion residuals (CCR) in the state of Texas. The approval becomes effective on July 28. Approval of TCEQ's partial CCR permit program allows the TCEQ regulations to apply to existing CCR units, as well as any future CCR units not located in Indian Country, in lieu of the federal requirements.

PFAS, New Mexico

On June 23, the Governor of New Mexico submitted a petition requesting the listing of per and polyfluorinated substances (PFAS) as a class of chemicals within Subpart C of the Resource Conservation and Recovery Act (RCRA), or in the alternative, to list individual PFAS chemicals under RCRA. The petition was submitted pursuant to 42 U.S.C. § 6921(c), which requires the Administrator to act on the petition within 90 days. This is the first petition EPA has received under that provision.

Union Pacific Railroad, Houston, Texas

On June 25, Houston Mayor Sylvester Turner sent a letter to Administrator Regan requesting that EPA: 1) exercise its investigatory and information-gathering authorities under Section 3007 of RCRA and Section 104 of CERCLA to obtain information from Union Pacific Railroad (UPRR) on wastes managed, releases, and remedial options; 2) deploy administrative enforcement authorities under RCRA Sections 3008 and 7003 and use its settlement authorities to obtain relief for the community including relocation; and 3) engage directly with UPRR and the Texas Commission on Environmental Quality in the pending permit renewal and amendment. The June 25 letter also included a City presentation on "Identification, Acquisition, and Relocation Preliminary Strategies and Planning."

January Environmental Services, Inc., Oklahoma City, Oklahoma

Defendants provided a partial response to the government's first Request for Production of Documents and its first set of interrogatories.

Ex. 5 AC / Ex. 7(A)

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Donna Canal Superfund Site, Donna, Texas

On July 6 and 12, in coordination with the U.S. Fish and Wildlife Service, fish will be removed from the lower canals and reservoir and sediment samples will be collected for the annual data assessment. In addition, new "No Fishing" warning signs, with text in English and Spanish, will be erected along the critical areas on the lower canal/reservoir. Region 6 has contacted the Donna Irrigation District and is working to identify outreach opportunities in advance of mobilizing to the site.

Community Air Toxics Project Report, Houston, Texas

On July 1, the One Breath Partnership, in collaboration with the City of Houston Health Department, issued a report on formaldehyde air pollution in Houston. The City conducted the study with funds from a national EPA community air toxics project funding competition. The data collected by this study add to the understanding of formaldehyde and its precursors in Houston. The primary concern raised in the report is not direct emissions of formaldehyde, but secondary

formation of the chemical in the atmosphere from precursor air pollutants. This investigation into formaldehyde and its precursors, including ethylene, propylene, and isoprene;

Ex. 5 Deliberative Process (DP)

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h. Completion of the project and release of the report was delayed due to COVID restrictions.

National Energy Advisory Team

On July 6, Region 6 is hosting the National Energy Advisory Team biweekly meeting. The meeting topics include discussion on the Interstate Oil and Gas Compact Commission (IOGCC) and EPA Taskforce upcoming meeting, as well as a report on regional oil and gas development.

SpaceX Vertical Launch Area, Boca Chica, Texas

The 30-day response time has elapsed for SpaceX to respond to the U.S. Army Corps of Engineers Galveston District (Corps) and other Resource Agency comments to SpaceX on the proposed Vertical Launch Area Expansion Project seeking Clean Water Act 404 (CWA 404) permit authorization. In its transmittal to SpaceX, the Corps identified the various informational needs required to proceed with the CWA 404 permitting process. In addition, more than 1600 pages of public comments submitted during the permit public notice period were provided to SpaceX. Region 6 is awaiting notification of status information from the Corps.

Sandy Creek Energy Station, McLennan County, Texas

In early July, a petition Order granting all claims will be signed by the Administrator on the Texas Commission on Environmental Quality's title V permit for the Sandy Creek Energy Station. The Sandy Creek petition asserted two claims for objection, both of which are related to the incorporation by reference of permits by rule. The first claim is related to incorporation by reference of permits by rule that are certified, and the second claim is on monitoring, recordkeeping, and reporting requirements for permits by rule that are incorporated by reference.

Major Decisions and Events

Visibility Transport SIP, Oklahoma

By July 15, Region 6 intends to sign a Federal Register notice proposing approval of the interstate visibility transport portion of the Oklahoma infrastructure SIP for the 2015 ozone NAAQS and disapproval of the interstate visibility transport portions for the 2010 SO₂ and 2012 PM_{2.5} NAAQS. Concurrently, Region 6 will send letters to Tribes in Oklahoma offering to engage in consultation on this proposed rule.

VOC Emissions in Nonattainment Areas and Former Nonattainment Areas, Oklahoma

By July 15, Region 6 expects to propose approval of the Volatile Organic Compound Emissions in Nonattainment Areas and Former Nonattainment Areas. This proposes to update the ozone season for nonattainment and former nonattainment areas for Oklahoma. The new ozone season reflects changes made with the promulgation of the 2015 ozone NAAQS. Concurrently, Region 6 will send letters to Tribes in Oklahoma offering to engage in consultation on this proposed rule.

Regional Haze Progress Report SIP, Louisiana

By July 15, Region 6 expects to propose approval of the Louisiana Regional Haze Progress Report SIP. The SIP was submitted by the Louisiana Department of Environmental Quality on March 25 to address the requirement for a periodic report describing progress toward regional haze reasonable progress goals and included a determination of adequacy of the State's Regional Haze SIP for the first implementation period.

NESHAP Parts 61 and 63 Delegation, Oklahoma

By mid-July, Region 6 expects to propose approval of updated delegation of Part 61 and Part 63 NESHAP standards adopted by the Oklahoma Department of Environmental Quality between September 2016 and June 2019. The approval would update the existing delegation of the NESHAP standards. ODEQ formally requested that EPA approve its updated delegation through submittals dated December 23, 2019, and March 23, 2021.

Grambling State University, Louisiana

Region 6 expects to sign a Memorandum of Understanding with Grambling State University in Louisiana and HQ Office of Enforcement and Compliance Assurance to formalize a partnership and enhance collaboration between EPA and GSU. Under the MOU, EPA and GSU intend to work collectively to progress efforts focusing on preparing students to enter and compete in the federal workforce, providing expertise to review and enhance curriculums, and participating on research efforts to promote environmental awareness.

July 14	Regional Tribal Operations Committee
July 22	Environmental Justice Stakeholders Quarterly Call